

and making an appropriation therefor and did sign the same in open session.

SPECIAL ORDERS.

The special order, Senate bill No. 12, An act to repay to the funds of the University of Texas divers amounts of money drawn therefrom by the State of Texas for other purposes than those pertaining to the University and to provide for the payment of interest due thereon, was laid before the Senate with amendment by Senator Jarvis and substitute therefor by Senator Allen, pending.

SENATOR BURNEY

Made the point of order that Senator Allen's substitute for the amendment of Senator Jarvis' could not be acted upon as such, as it covers two sections of the bill.

Point of order sustained.

SENATOR ALLEN

Spoke at length in favor of his amendments.

SENATOR M'MANUS

Spoke against the amendments and in favor of the bill.

SENATOR BAKER

Spoke in favor of the bill.

The amendment offered by Senator Allen was lost.

SENATOR JARVIS

Withdrew his amendment.

SENATOR CLAIBORNE

Offered the following amendment:

After the word "cents," in line 22, section 2, add "and that fifty thousand dollars of the available portion of the money hereby appropriated be, and the same is hereby appropriated and set apart, to be used in the construction of buildings for the Medical Branch of the University of Texas at the City of Galveston.

Provided, that the said City of Galveston shall donate to the University of Texas block 668, in said city, to be used for the Medical Branch of that institution; and

Provided further that the executor

of the estate of John Sealy, deceased, shall agree to construct on said block at a cost of not less than fifty thousand dollars (\$50,000), a medical Hospital, which, when completed, is to be donated to the Medical Branch of the University of Texas, and to be under the control of the Board of Regents of said University.

SENATOR CLAIBORNE

spoke in favor of the amendment.
It was lost.

SENATOR STINSON

Offered the following amendment:

Amend by adding to the end of section 2 the following:

Provided, the appropriation shall be a full and complete settlement and satisfaction of all claims and demands that the University of Texas has against the State of Texas.

SENATOR STINSON

Spoke in favor of the amendment.
Lost.

SENATOR JARVIS

Moved to amend by striking out all of section 2 of the bill, which seeks to recover interest.

Lost.

The bill was ordered engrossed.

J. O. Wheeler, the newly appointed postmaster, was sworn in.

SENATOR BURNEY

Moved that the Senate adjourn until 9 o'clock to-morrow morning.

SENATOR M'DONALD

Moved that the Senate adjourn until 9:30 o'clock to-morrow morning.

The motion for the longest time was put first and adopted, and

The Senate adjourned until 9:30 o'clock to-morrow morning.

FOURTEENTH DAY.

Senate Chamber, }
Austin, May 2, 1888. }

The Senate met pursuant to adjournment, Lieutenant Governor Wheeler in the chair.

Roll called. Quorum present.

Prayer by the chaplain, Dr. R. K. Smoot.

Pending the reading of the Journal of yesterday, on motion of Senator Houston, the further reading of the same was dispensed with.

On motion of Senator Jarvis, Senator Pope was excused till noon on account of important business.

On motion of Senator Macmanus, Senator Davis was excused for to day.

REPORTS OF STANDING COMMITTEES.

BY SENATOR JARVIS.

Committee Room, }
Austin, May 2, 1888. }

Honorable T. B. Wheeler, President of the Senate:

Sir—Your committee on Finance, to whom was referred House bill No 32, entitled:

An act to make an appropriation for the support and maintenance of the quarantine department have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass with the following committee amendments:

Section 1. Strike out the words "forty thousand" and insert "thirty-five thousand six hundred;" and after the word "necessary" insert the words "six hundred dollars of which shall be used in constructing a wharf at Brazos Santiago."

All of which is respectfully submitted. JARVIS, chairman.

Bill read first time with committee amendments.

On motion of Senator Macmanus, The bill was recommitted.

Committee Room, }
Austin, May 2, 1888. }

Hon. T. B. Wheeler, President of the Senate.

Sir—Your committee on Finance, to whom was referred Senate Bill No. 38, entitled

An act to amend articles 4262, 4264, 4265 of chapter 1 title 95, Revised Statutes, have had the same under consideration, and instruct me to report the same back to the Senate with the recommendation that it do lie on the table until the action of the House of Representatives on the occupation tax bill now before them is ascertained.

All of which is respectfully submitted.

JARVIS, chairman.

Bill read first time.

BY SENATOR FRANK.

Committee Room, }
Austin, May 2, 1888. }

Honorable T. B. Wheeler, President of the Senate.

Sir—Your committee on engrossed bills have carefully examined and compared Senate Bill No. 12, being

An act repay the funds of the University of Texas divers amounts of money drawn therefrom by the State of Texas for other purposes than those pertaining to the University, and to provide for the payment of interest due thereon, and find the same correctly engrossed.

FRANK, chairman.

BILLS AND RESOLUTIONS.

BY SENATOR CLAIBORNE

A bill to be entitled

An act to make an appropriation and to further provide for the erection of three statues in memory of General Sam Houston, General Stephen F. Austin and General Thomas J. Rusk, at the New Capitol in Austin, Travis county, Texas.

Referred to the committee on Insurance, Statistics and History.

The bill empowers the Governor to have erected to the memory of the Generals named bronze equestrian statues to cost in total \$50,000.

MESSAGES FROM THE HOUSE.

The following message was received from the House of Representatives.

House of Representatives, }
May 2, 1888. }

Honorable T. B. Wheeler, President of the Senate:

Sir—I am directed by the House to inform the Senate that the House has concurred in the Senate amendment to substitute House bill No. 38,

A bill to be entitled an act to provide for the reception of the new capitol when the same is completed.

WILL LAMAERT.

Chief Clerk House of Representatives.

Senate bill No. 25.

A bill to be entitled an act to purchase State convict farms and improve the same, and work convicts thereon, and to make an appropriation therefor, was laid before the Senate as

the special order, and was read second time.

SENATOR FRANK

Proceeded to speak to the Senate in support of the bill, and

SENATOR BURGESS

Made the point of order that the provisions of the bill were not included in the call of the Governor, and therefore the bill is not a subject of legislation at this special session.

SENATORS FRANK FIELD, CALHOUN, LANE AND ALLEN

Spoke in opposition to the point of order.

SENATORS BURGESS, POPE, JARVIS AND HOUSTON

Spoke in support of the point of order.

The point order was sustained.

SENATOR FRANK

Appealed from the decision of the chair.

The chair was sustained by the following vote:

Yeas—18.

Armistead	Knittle
Baker	McDonald
Burgess	Macmanus
Burney	Pope
Calhoun	Simkins
Camp	Stinson
Glasscock	Upshaw
Houston	Woods
Jarvis	Woodward

Nays—9.

Allen	Frank
Bell	Garrison
Claiborne	Lane
Douglas of G	Terrell
Field	

The following message was received from the House of Representatives:

House of Representatives, }
Austin, May 2, 1888. }
Honorable T. B. Wheeler, President of the Senate:
Sir—I am instructed by the House

to inform the Senate that the House has passed the following bills:

House bill No. 48.

An act to provide for the speedy payment of the outstanding warrants held by the several counties against the available free school fund.

Also, House bill No. 61.

An act to create a sinking fund for the payment of bonds of the State of Texas maturing in 1890 and 1891, and to supply the deficiency in the available school fund.

WILL LAMBERT,
Chief Clerk of the House of Representatives.

THE PRESIDENT

Referred House bills Nos. 48 and 61 to the committee on Finance.

Senate bill No. 9.

An act making an appropriation to construct buildings and supplying the State Orphan Asylum for the indigent orphans of the State at Corsicana, Texas, was laid before Senate, read third time and passed by the following vote:

Yeas—21.

Allen	Houston
Armistead	Jarvis
Baker	Knittle
Bell	Lane
Burgess	Pope
Burney	Simkins
Calhoun	Terrell
Camp	Upshaw
Claiborne	Woods
Garrison	Woodward
Glasscock	

Nays—6.

Douglas of G	McDonald
Field	Macmanus
Frank	Stinson

SENATOR STINSON

Sent up his reasons for voting as follows:

I vote no on this proposition for this reason:

That I believe a suitable provision is made by each and every county in the State for the care and protection of the orphans of Texas; and, furthermore, I am of the opinion that the liberality and generosity of the citizens of various localities and communities of Texas are better posted as to what orphans really are entitled to

their assistance than the representative in their legislative capacity can possibly have.

STINSON.

Senate bill No. 12.

An act to repay to the funds of the University of Texas divers amounts of money drawn therefrom by the State of Texas for other purposes than those pertaining to the University and to provide for the payment of interest due thereon, was laid before the Senate and read third time.

SENATOR STINSON

moved to amend by striking out the enacting clause.

Lost.

The bill was passed by the following vote:

Yeas—16.

Armistead	Lane
Baker	McDonald
Bell	Macmanus
Burney	Pope
Calhoun	Simkins
Glasscock	Upshaw
Houston	Woods
Knittle	Woodward

Nays—8.

Allen	Garrison
Douglass of G	Jarvis
Field	Stinson
Frank	Terrell

Paired—Senator Camp, who would have voted yea, with Senator Gregg, who would have voted nay.

SENATOR ALLEN

Gave notice of intention to file reasons for voting against the bill.

THE PRESIDENT

Gave notice of signing and did sign in open session substitute for substitute House bill No. 38.

A bill to be entitled an act to provide for the reception of the new State capitol building when the same is completed.

Senate bill No. 1.

A bill to be entitled an act to require country treasurers of the several counties of the State of Texas to report surplus of the school funds to board of education, and to provide how school fund shall be distributed,

and to provide penalties for failure to make such reports,

Was laid before the Senate and read second time, with committee substitute bill with majority favorable and minority unfavorable committee reports.

SENATOR WOODS

Moved that the committee substitute the caption of which is, as follows:

Substitute Senate bill No. 1.

A bill to be entitled an act to provide for the return of any portion of the available public free school fund remaining on hand with county city, or town treasurers at the close of each scholastic year to the State treasurer, be adopted.

SENATOR WOODS

Favored, and

SENATOR ALLEN

Opposed the motion.

Adopted.

SENATOR BELL

Moved to postpone further consideration of the bill until Friday, and that it be made the special order for that day after morning call, and from day to day until disposed of.

SENATORS WOODS, LANE AND GLASSCOCK

Opposed the motion to postpone.

SENATORS BELL AND ALLEN

Favored the motion and it was adopted, and the substitute bill was made the special order for Friday next after the morning call and from day to day until disposed of.

Senate bill No. 3.

A bill to be entitled an act to appropriate the sum of two hundred and fifty thousand dollars for the support and maintenance of the common public free schools of this State, out of the nine hundred and twenty-seven thousand dollars recently received by the State from the United States government, was laid before the Senate with committee,

Substitute Senate bill No. 3,

A bill to be entitled

An act to supply a deficiency in the available free school fund by a loan of five hundred thousand dollars, two hundred and forty-eight thousand seven hundred dollars of which shall be a sinking fund for the payment of

State bonds held by individuals maturing in 1890 and 1891, and on motion of Senator Armistead was laid on the table to be considered with House bill on same subject.

SENATOR GARRISON

in the chair.

On motion of Senator Lane, the regular order of business was suspended, and Senate bill No. 15, a bill to be entitled

An act to amend chapter 4, title 95, of the Revised Civil Statutes of the State of Texas by adding thereto article 4761a, was taken up out of its regular order and read second time with committee amendments.

On motion of Senator Armistead the committee amendments were adopted.

SENATOR ALLEN

Moved to amend after the word "fund," in committee amendment, add the words of the State.

SENATOR ALLEN

Spoke in favor of the amendment.
Adopted.

SENATOR CALHOUN

Spoke in opposition to the bill.

SENATOR LANE

Favored the bill.

SENATOR BURNEY

Moved to amend section 1, article 4761a, by adding after the figures "4761," in line 4, the words,

As amended by an act passed at the regular session of the Twentieth Legislature, chapter 85, approved March 30, 1887.

SENATOR BURNEY

Favored the amendment.

Adopted.

The bill was ordered engrossed by the following vote:

Yeas—21.

Allen
Armistead
Baker
Bell
Burney
Camp
Douglass of G
Field

Frank
Garrison
Glasscock
Houston
Jarvis
Knittle
Lane
McDonald

Macmanus
Pope
Simkins

Woods
Woodward

Nays—6.

Burges
Calhoun
Claiborne

Stinson
Terrell
Upshaw

THE PRESIDENT

in the chair.

Senate bill No. 19.

A bill to be entitled

An act to amend section 26 of an act entitled an act to establish and maintain a system of public free schools for the State of Texas, was laid before the Senate and read second time and was ordered engrossed.

The following message was received from the Governor, laid before the Senate, read and referred to the committee on public lands.

Executive Office.

Austin, May 2, 1888. }

Gentlemen of the Senate and House of Representatives:

Gentlemen—I have the honor to invite your attention to the fact that out of the original survey of 3,000,000 acres of land, made for the erection of the state capitol, by verifying the surveys, we find there will probably be an excess of 25,738 acres, which remain a part of the public domain, and subject to such disposition as, in your wisdom, you may see proper to direct.

L. S. Ross,

Governor of Texas.

The following message from the Governor was laid before the Senate and read:

Executive Office.

Austin, April 24, 1888. }

To the Senate of Texas:

Gentlemen—I have the honor to ask your advice and consent to the appointment of A. S. Roberts to be one of the board of managers of the Deaf and Dumb Asylum, vice Hon. Ed. Christian, deceased.

Respectfully,

L. S. Ross,

Governor of Texas.

Senate bill No. 4, entitled:

An act to authorize the superintendent of public buildings and grounds to lease to the Farmer's Alliance of Travis county the south half of block No. 59, and the whole of the square south of said half block situated in

the city of Austin, in Travis county, Texas, as appears on the map of said city, now on file in the general land office of the State of Texas, was laid before the Senate with special committee report.

On motion of Senator Glasscock,
The bill was recommitted.

Senate bill No. 5.

A bill to be entitled an act making an appropriation to construct additional buildings at the State Lunatic Asylum at Austin; for repairs, literature and for additional attendants, with committee

Substitute Senate bill No. 5.

A bill to be entitled an act to construct additional buildings at the State Lunatic Asylum at Austin; for improvements and repairs; for the purchase of literature and pay of additional attendants, and to make an appropriation therefor, was laid before the Senate and read second time.

On motion of Senator Armistead,

The committee substitute was adopted.

SENATOR WOODWARD

moved to amend by striking out section 2.

SENATOR WOODWARD

avored, and

SENATORS GLASSCOCK AND ARMISTEAD

opposed the amendment.

It was lost.

SENATOR FRANK

moved to amend page 2, section 6, line 9, by adding after the word "dollar" the following: "Or so much thereof as may be necessary."

SENATOR FRANK

explained the amendment and it was adopted.

The bill was ordered engrossed.

By leave the following bills were introduced:

BY SENATOR DOUGLASS OF GRAYSON:

An act to amend article 417, chapter 4, title 13, of the Penal Code of the State of Texas.

The object of the bill is to prevent

defacing or injury to the state capitol building, together with other public buildings and furniture therein.

Referred to Judiciary committee No. 2.

BY SENATOR POPE:

A bill to be entitled an act to authorize the commissioner of the general land office to verify the surveys of lands appropriated to construct the new capitol building, and sell excess of said lands.

Referred to committee on public lands.

BY SENATOR BELL:

A bill to be entitled an act to amend section 4, of an act entitled an act to authorize and require the county commissioners' courts of the several counties of the State to provide for the payment of all claims due teachers of public free schools, audited as valid claims under acts of the Legislature of Texas, approved August 7, 1876, or April 22, 1879, and to audit and pay such claims as should have been presented to, and audited by the auditorial board, provided by said act approved April 2, 1883.

Referred to committee on finance.

The bill seeks to amend section 4 of an act passed August 7, 1876, so that all claims such as are mentioned in sections 1 and 2 of said act, which are not presented to the several commissioners' courts within six months after this act goes into effect, shall be forever barred.

On motion of Senator Claiborne, the Senate adjourned till 9:30 to-morrow morning by the following vote:

Yeas—20.

Armistead	Jarvis
Baker	Knittle
Bel	Lane
Bruges	McDonald
Camp	Pope
Claiborne	Simkins
Douglass of G	Terrell
Field	Upshaw
Frank	Woods
Garrison	Woodward

Nays—5.

Allen	Glasscock
Burney	Houston
Calhoun	

Absent—1.

Stinson